



Entered on Docket
August 24, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining Fourth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based Entirely Upon Investment In
The Placer I Loan**

Hearing Date: July 26, 2011

Hearing Time: 1:30 p.m.

The Court having considered the "Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Placer I Loan ("Placer I Loan") [DE 8443] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to repayment

1 by the borrower or from the collateral securing the Placer I Loan; and good cause
2 appearing:

3 **IT IS ORDERED** that:

4 1. The Objection [DE 8443] is sustained; and

5 2. The claims listed on **Exhibit A** attached are disallowed in full because those
6 claims are based entirely upon an investment in the Placer I Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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18 *Attorneys for USACM Liquidating Trust*
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**Placer Vineyards I
Single Loan Claims**

Claim	Date Claim Was Filed	Name	Address	Total Claim Amount	Amount of Claim That Relates to an Investment In the Placer Vineyards I
10725-00709	11/7/2006	Rains Properties Lp	Donna M Osborn Esq Marquis & Aurbach 10001 Park Run Dr Las Vegas, NV 89145	350,000.00	350,000.00
10725-01913	1/10/2007	Riordan, Cecil E & Barbara	2370 Overlook Ct Reno, NV 89509	57,069.30	57,069.30
10725-00538	10/10/2006	Ruegg Living Trust Dtd 11/28/94	Frank Charles & Margaret S Ruegg Ttees 107 Navigator LN Friday Harbor, WA 98250-6017	75,000.00	75,000.00
10725-00809	10/30/2006	Russell Jr, Frank	3314 Paces Ferry Rd Se Atlanta, GA 30339	109,687.51	109,687.51
10725-00388	10/2/2006	Sass Ira, Karen E	7882 Morgan Pointe Circle Reno, NV 89523	50,000.00	50,000.00
10725-00324	9/28/2006	Sb Wright Family Trust Dtd 12/28/94	Melvin B & Susan D Wright Ttees 3983 S Mccarran Blvd Reno, NV 89502-7510	746.52	746.52
10725-01302	11/13/2006	Sedlak, Alvina	7840 E Camelback Rd #203 Scottsdale, AZ 85251	54,166.72	54,166.72
10725-01130	11/9/2006	Shelley Wike Cranley Trustee	Shelley W Cranley 174 Mont Blanc Way Las Vegas, NV 89124-9122	100,000.00	100,000.00
10725-00586	10/13/2006	Smith, Gene & Emily	419 Shipley Dr Yerington, NV 89447-2632	26,857.60	26,857.60
10725-01322	11/13/2006	Turner Development Llc	Chris Turner 461 N Carlisle Pl Orange, CA 92869	100,000.00	100,000.00
10725-01600	12/8/2006	Wyatt, Kenneth H & Phyllis P Family Trust	Kenneth & Phyllis Wyatt Ttees Po Box 370400 Las Vegas, NV 89137-0400	54,253.44	54,253.44

EXHIBIT A

2400185.1